IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 609 OF 2007

Sunil Namdeorao Revdandkar ...Petitioner
V/s.
State of Maharashtra & Ors. ...Respondents

Mr.V.P. Sawant i/b. M/s.A. Mehta Laljee & Co. for the Petitioner.
Mr.A.Y. Sakhare i/b. YKS Legal for Respondent Nos.5, 6 and 7.
Mr.K.R. Belosey, Government Pleader for State-Respondent Nos.1 and 2.
Mr.Baptist D'Souza for Respondent No.4.

CORAM : V.M. KANADE, J.

DATED : JUNE 4, 2007

P.C. :-

1. Heard the learned Counsel for the petitioner.

2. Shri Sakhare, learned Senior Counsel for respondent nos.5, 6 and 7 has raised a preliminary objection regarding the maintainability of this writ petition. He submits that the petitioner has an alternate remedy of filing a statutory appeal as provided under Section 247 of the Maharashtra Land Revenue Code, 1966.

3. The learned Counsel for the petitioner seeks

permission to withdraw the writ petition with liberty to file an appeal.

4. Accordingly, writ petition is allowed to be withdrawn. Liberty is granted to the petitioner to file a statutory appeal before the Appellate Authority as provided under Section 247. If the appeal is filed within two weeks, the same shall be heard on merits and the respondent shall not raise issue of limitation.

. Writ Petition is accordingly disposed of.

(V.M. KANADE, J.)